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सं. 29] नई दिल्ली, अक्टूबर 3—अक्टूबर 9, 2010, शनिवार/आश्विन 11—आश्विन 17, 1932
No. 29] NEW DELHI, OCTOBER 3—OCTOBER 9, 2010, SATURDAY/ASVINA 11—ASVINA 17, 1932

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (iii)
PART II—Section 3—Sub-section (iii)

केन्द्रीय अधिकारियों (संघ राज्य क्षेत्र प्रशासनों को छोड़कर) द्वारा जारी किए गए आदेश और अधिसूचनाएं
Orders and Notifications Issued by Central Authorities (other than the Administrations of Union Territories)

भारत निर्वाचन आयोग

नई दिल्ली, 7 अक्टूबर, 2010

आ.अ. 95.—लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 106(क) के अनुसरण में निर्वाचन आयोग आंध्र प्रदेश उच्च न्यायालय के दिनांक 22-4-2010 के आदेश को निर्वाचन याचिका संख्या 2009 के 18 में एतद्वारा प्रकाशित करता है।

(संलग्न निर्णय अंग्रेजी में मुद्रित है।)

[सं. 82/आंध्र प्रदेश-लोक सभा/(18/2009)/2010]

आदेश से,

आर. के. श्रीवास्तव, सचिव

ELECTION COMMISSION OF INDIA

New Delhi, the 7th October, 2010

O. N. 95.—In pursuance of Section 106(a) of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the order of the High Court of Andhra Pradesh dated 22-4-2010 in Election Petition No. 18 of 2009.

IN THE HIGH COURT OF JUDICATURE,
ANDHRA PRADESH AT HYDERABAD

Thursday, the Twenty Second Day of April

Two Thousand and Ten

Present

The Hon'ble Sri Justice K.C. Bhanu

Election Petition No. 18 of 2009

Between

Sunkara Krishna Murthy, B.A. B.L., Advocate
S/o. Sunkara Veera Brahmam

PETITIONER

AND

1 Lagadapati Raja Gopal S/o. L.V.Rama Naidu, 1)
D.No.32-2-10C,

Madhu Nagar, Moghal Rajapuram, Vijayawada,
Krishna District

(or)

H.No.203, Lumbini Rock Castle, Road No.6, Banjara Hills Hyderabad-34.

(or)

Mahatma Gandhi Road, Near Benz Circle, Vijayawada-520010, Krishna District

(or)

7, B.D.Marg, New Delhi-110 001 Phone: 011-23793298

(or)

14, Lodhi Estate, New Delhi- 110 001. Phone: 011-23793298

- 2 Laka Vengala Rao Father's name not known to the petitioner Vijayawada - 13 , Krishna District
- 3 Vamsi Mohan Vallabhaneni S/o Vallabhaneni Sharat Chandra Gannavaram Mandal, Krishna District
- 4 Sistla Narsimha Murthy Father's name not known to the petitioner Patamata, Vijayawada, Krishna District
- 5 Devineni Kishore Kumar father's name not known to the petitioner Kondapalli village - 521 228 , Krishna District
- 6 Raghava Rao Jakka father's name not known to the petitioner Machavaram, Vijayawada, Krishna District
- 7 Rajiv Chanumolu S/o Chanumolu Bhaskar Rao Velagaleru, G Konduru Mandal, Krishna District
- 8 Appikatla Jawahar S/o Appikatla Joseph Lambadipet, Vijayawada, Krishna District
- 9 Jakka Taraka Mallikharjuna Rao father's name not known to the petitioner Plot No. TF-4, SSS Colony, Gollapudi - 521 225, Krishna District
- 10 Devarasetty Ravindra Babu father's name not known to the petitioner Machavaram, Vijayawada - 520 004, Krishna District
- 11 Devireddy Ravindranatha Reddy father's name not known to the petitioner Ajith Singh Nagar Colony, Vijayawada, Krishna District
- 12 Perupogu Venkateswara Rao father's name not known to the petitioner Vijayawada, Krishna District
- 13 Baipudi Nageswara Rao father's name not known to the petitioner Vijayawada - 15, Krishna District
- 14 Boppa Venkateswara Rao father's name not known to the petitioner Mylavaram - 521 230, Krishna District
- 15 Bolisetty Haribabu father's name not known to the petitioner Krishna Lanka, Vijayawada-520 013, Krishna District
- 16 Veerla Sanjeeva Rao father's name not known to the petitioner Lambadipeta, Vijayawada - 520 009, Krishna District
- 17 Venkata Rao P father's name not known to the petitioner Rehman Street, Vijayawada - 2, Krishna District
- 18 Senapathi Chiranjeevi father's name not known to the petitioner Madhura Nagar, Vijayawada, Krishna District

- 19 Shaik Mastan father's name not known to the petitioner Vijayawada, Krishna District
- 20 B Ramayya IAS, Returning Officer, for conducting General Election, For No. 29, Vijayawada, Parliamentary Constituency Krishna District (Joint Collector, Krishna District) Vijayawada
- 21 Shri Dr. I V Subba Rao IAS S/o Ilapavuluri Pandu Ranga Rao A.P. Chief Election Commissioner, GA (Elections) Department, New H Block, South Wing, AP Secretariat Hyderabad .Ph: 040 - 23457317 (RR 6,8,12 & 19 set ex-parte vide Court order dated 17-11-2009)

RESPONDENT(S)

Petition under Section 80-A, 81, 100, 101, 123 & 125 A of the Representation of the People Act 1951, praying that in the circumstances stated in the affidavit filed therewith, the High Court will be pleased

- (a) call for the entire records pertaining to, in connection with the General Elections held on 23-04-2009 including the nomination papers of all the candidates for the 29, Vijayawada Parliamentary Constituency, Krishna District, State of A.P.,
- (b) scrutinize the affidavit of the 1st respondent with the birth certificate issue by the Registrar for Greater Hyderabad Municipal Corporation,
- (c) declare the election of the 1st respondent (Lagadapati Rajagopal) from 29, Vijayawada Parliamentary Constituency, of Krishna District, State of A.P., "Void". And the petitioner may be declared as elected.
- (d) further declare that the petitioner's reasonable expenses and costs-may be awarded.

The petition coming on for hearing upon persuing the Petition and the affidavit filed in support there of and upon hearing the argument of Sri. Sai Gangadhar Chamarthi, and Sri. G. Mohan Rao, Advocates for the Petitioner and of Sri. Movva Chandrasekhara Rao, Advocate for Respondent No.1, and of Sri. L. Venkateswara Rao, Advocate for the Respondent No.3, and of Sri. A. Rama Krishna, Advocate for Respondent No. 11, and of Sri. VVL.N. Sarma, Advocate for Respondent No. 15, and of Sri. P.N. Murthy, Advocate for Respondent No. 17, and of the G.P. for GAD appearing for Respondent Nos. 20 & 21, and None for Respondents Nos.2,4,5,7,9,10,13,14,16 & 18

It is ordered as follows;

1. that this Election Petition be and hereby is dismissed,
2. that there be no order as to costs in this Election Petition.

Sd/-

P.V. RADHAKRISHNA RAO

Jt. Registrar,

[No. 82/AP-HP/(18/2009)/2010]

By Order,

R. K. SRIVASTAVA, Secy.